

**ELEVENTH LEGISLATIVE DAY
THURSDAY, JANUARY 16, 2003**

House of Representatives

The House convened at 1 p.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Emily Christensen, Page.

Approval of Journal

January 16, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Tenth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 16, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 74, H 75, H 76, H 77, H 78, H 79, H 80, and H 81**.

FIELD(18), Chairman

H 74, H 75, H 76, H 77, H 79, H 80, and H 81 were referred to the Revenue and Taxation Committee.

H 78 was referred to the State Affairs Committee.

January 16, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 3** to the Secretary of State at 2:02 p.m., as of this date, January 15, 2003.

FIELD(18), Chairman

January 16, 2003

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 7, H 9, H 10, and H 11** and recommend they be referred to the Business Committee.

DEAL, Chairman

H 7, H 9, H 10, and H 11 were referred to the Business Committee.

January 16, 2003

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 68** and **H 69** and recommend that they do pass.

CROW, Chairman

H 68 and **H 69** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 82
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO LAND MANAGEMENT; AMENDING SECTION 4, CHAPTER 259, LAWS OF 1997, TO PROVIDE THAT THE SUNSET CLAUSE SHALL APPLY ONLY TO SECTIONS 1 AND 2 OF THE ACT; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

**HOUSE BILL NO. 83
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO LONG TERM LEASING OF STATE LANDS BY THE BOARD OF LAND COMMISSIONERS; AMENDING SECTION 58-307, IDAHO CODE, TO ADD THREE PARCELS OF ENDOWMENT LAND TO THE PROPERTY AVAILABLE FOR LONG TERM LEASES AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 84
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO MILITARY VETERANS; AMENDING SECTION 65-301, IDAHO CODE, TO AUTHORIZE ANY VETERAN TO RECORD HIS OR HER DISCHARGE PAPERS AND TO PROVIDE THAT THE NAME OF THE VETERAN MAY NOT BE REDACTED FROM THE DOCUMENT, TO AUTHORIZE A VETERAN OR SURVIVING SPOUSE OF A VETERAN OR OTHER LEGAL REPRESENTATIVE TO REQUEST THAT A COUNTY RECORDER REMOVE FROM THE OFFICIAL RECORDS CERTAIN FORMS AND TO PROVIDE PROCEDURES FOR SUCH REQUEST, TO PROVIDE THAT CERTAIN FORMS WHICH ARE RECORDED AT THE REQUEST OF ANY VETERAN, HIS OR HER SURVIVING SPOUSE OR OTHER LEGAL REPRESENTATIVE SHALL BE A PUBLIC RECORD SUBJECT TO RELEASE WITHOUT WRITTEN CONSENT OF THE VETERAN, SURVIVING SPOUSE OR OTHER LEGAL REPRESENTATIVE AND TO PROVIDE FOR NO CAUSE OF ACTION AGAINST A COUNTY, COUNTY

EMPLOYEE OR THE STATE OF IDAHO BASED UPON HARM CAUSED BY INFORMATION RELEASED FROM THE RECORDS OF THE COUNTY; AND AMENDING SECTION 9-340C, IDAHO CODE, TO PROVIDE THAT CERTAIN MILITARY RECORDS SHALL BE EXEMPT FROM DISCLOSURE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 85
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE DUTIES OF PROSECUTING ATTORNEYS AND THE ATTORNEY GENERAL; AMENDING SECTION 38-128, IDAHO CODE, TO PROVIDE THAT, AT THE DISCRETION OF THE DIRECTOR OF THE DEPARTMENT OF LANDS, IT SHALL BE THE DUTY OF EITHER THE ATTORNEY GENERAL OR THE PROSECUTING ATTORNEY OF THE COUNTY WHERE THE ACTION LIES TO PROSECUTE ALL ACTIONS FOR THE RECOVERY OF PENALTIES AND COSTS INCURRED BY THE DIRECTOR OF THE DEPARTMENT OF LANDS OR THE FIRE WARDEN OF ANY FOREST PROTECTIVE DISTRICT UNDER THE IDAHO FOREST PROTECTIVE ACT AND TO PROVIDE FOR DETERMINATION OF VENUE OF SUCH ACTIONS.

HOUSE BILL NO. 86
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE IDAHO ADMINISTRATIVE PROCEDURE ACT; AMENDING SECTION 67-5226, IDAHO CODE, TO REQUIRE AGENCIES THAT ADOPT A TEMPORARY RULE TO SEND A COPY OF THE RULE TO THE DIRECTOR OF LEGISLATIVE SERVICES AT THE SAME TIME THE AGENCY SENDS THE RULE TO THE OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR FOR PUBLICATION IN THE BULLETIN; AND DECLARING AN EMERGENCY.

H 82, H 83, H 84, H 85, and H 86 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 70 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McKague and Mr. Trail to open debate.

The question being, "Shall **H 70** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon,

Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer(Schumacher), Shepherd, Shirley, Skippen, Smith(24), Smith(30), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Bieter, Mitchell, Naccarato. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 70** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 8 a.m., Friday, January 17, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:25 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk